

REMARKS

This Amendment is responsive to the Final Office Action mailed October 20, 2010 and the Advisory Action mailed March 15, 2011. With this Amendment, claims 1-3, 5, 6, 8, 9, 12-17, and 9-36 will be canceled. Claims 4, 7, 10-11, and 18 will be pending under consideration. No new matter has been added.

Entry of this Amendment after Final Rejection is appropriate because it is in accordance with the comments set forth in the Advisory Action mailed March 15, 2011 in which the U.S. Patent and Trademark Office indicated that submission of “[a]ppropriate terminal disclaimers” and cancelation of the withdrawn claims would appear to make the elected and examined claims 4, 7, 10-11 and 18 allowable.

Reconsideration and withdrawal of the rejections maintained in the above-referenced Final Office Action and Advisory Action are respectfully requested in view of the foregoing amendments and the following remarks.

Requirement for Restriction

Upon entry of the instant Amendment, and without acquiescing to the propriety of the Requirement for Restriction mailed June 16, 2009, previously withdrawn claims 1-3, 5, 6, 8, 9, 12-17, and 9-36 will be canceled. Applicants preserve their right to file one or more suitable continuation and/or divisional applications to the non-elected subject matter.

Obviousness-Type Double Patenting

The Final Office Action and the Advisory Action maintain the rejection of claims 4, 7, 10, 11, and 18 on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-8 of U.S. Patent No. 7,541,451.

The Final Office Action and the Advisory Action also maintain the rejection of claims 4, 7, 10, 11, and 18 on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-8 of U.S. Patent No. 7,226,993.

In response, and without acquiescing to the propriety of the rejections, Applicants submit that the present Amendment is responsive to the instant rejections. In particular, Applicants submit herewith a Terminal Disclaimer with respect to the patents cited in the obviousness-type double patenting rejections.

In view of the above, Applicants respectfully request withdrawal of the rejections on the ground of nonstatutory obviousness-type double patenting.

CONCLUSION

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of record, and allow all the pending claims.

No additional fee is believed due at this time. If, however, any additional fee is necessary to ensure consideration of the submitted materials, the Patent and Trademark Office is hereby authorized to charge the same to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed telephone number.

Respectfully Submitted,
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